

Elizabeth J. Cabraser (SBN 083151)
Kevin R. Budner (SBN 287871)
Phong-Chau G. Nguyen (SBN 286789)
LIEFF CABRASER HEIMANN & BERNSTEIN,
LLP
275 Battery Street, 29th Floor
San Francisco, CA 94111
Telephone: 415.956.1000
Facsimile: 415.956.1008
ecabraser@lchb.com
kbudner@lchb.com
pgnguyen@lchb.com

[Additional Counsel on Signature Page]

Plaintiffs' Lead Counsel

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: VOLKSWAGEN "CLEAN
DIESEL" MARKETING, SALES
PRACTICES, AND PRODUCTS
LIABILITY LITIGATION

MDL No. 2672 CRB (JSC)

The Honorable Charles R. Breyer

This Document Relates to:
Porsche Gasoline Litigation

**STIPULATION AND [PROPOSED]
ORDER REGARDING FURTHER
PROCEEDINGS**

1 WHEREAS, on January 15, 2021, Plaintiffs filed their Consolidated Class Action
2 Complaint relating to the Porsche Gasoline Litigation (Dkt. No. 7803).

3 WHEREAS, on May 14, 2021, Defendants filed a motion to dismiss that Complaint (Dkt.
4 No. 7862).

5 WHEREAS, on August 12, 2021, Plaintiffs filed an opposition to Defendants' motion to
6 dismiss (Dkt. No. 7884).

7 WHEREAS, on October 25, 2021, Defendants filed a reply in support of their motion to
8 dismiss (Dkt. No. 7901).

9 WHEREAS, a hearing on the pending motion is set to be held on December 10, 2021.

10 WHEREAS, the Parties are engaging in discussions concerning further proceedings in the
11 case and have agreed to take off calendar the oral argument on the motion to dismiss.

12 WHEREAS, the Parties have agreed to provide a status report to the Court within sixty
13 (60) days of the entry of this order.

14 WHEREAS, the Parties will make themselves available for a conference to discuss status
15 and progress at the Court's convenience.

16 IT IS THEREFORE STIPULATED AND AGREED by the Parties that, subject to the
17 Court's approval, the hearing on the motion to dismiss is hereby continued pending further order
18 of the Court.

19 IT IS SO STIPULATED.
20
21
22
23
24
25
26
27
28

1 Dated: October 29, 2021

Respectfully submitted,

2 /s/ Kevin R. Budner

Elizabeth J. Cabraser (SBN 083151)

3 Kevin R. Budner (SBN 287871)

4 Phong-Chau G. Nguyen (SBN 286789)

LIEFF CABRASER HEIMANN & BERNSTEIN,
LLP

5 275 Battery Street, 29th Floor

6 San Francisco, CA 94111

7 Telephone: 415.956.1000

8 Facsimile: 415.956.1008

ecabraser@lchb.com

9 kbudner@lchb.com

pgnguyen@lchb.com

10 David S. Stellings

11 Wilson M. Dunlavey (SBN 307719)

Katherine I. McBride

12 LIEFF CABRASER HEIMANN & BERNSTEIN,
LLP

13 250 Hudson Street, 8th Floor

14 New York, NY 10013

Telephone: 212.355.9500

15 Facsimile: 212.355.9592

dstellings@lchb.com

16 wdunlavey@lchb.com

17 kmcbride@lchb.com

18 *Plaintiffs' Lead Counsel*

1 Dated: October 29, 2021

/s/ Laura Kabler Oswell
Laura Kabler Oswell (SBN 241281)
oswelll@sullcrom.com
SULLIVAN & CROMWELL LLP
1870 Embarcadero Road
Palo Alto, California 94303-3308
Telephone: (650) 461-5600
Facsimile: (650) 461-5700

Robert J. Giuffra, Jr. (*pro hac vice*)
giuffrar@sullcrom.com
Sharon L. Nelles (*pro hac vice*)
nelless@sullcrom.com
SULLIVAN & CROMWELL LLP
125 Broad Street
New York, New York 10004-2498
Telephone: (212) 558-4000
Facsimile: (212) 558-3588

*Attorneys for Defendants Volkswagen
AG, Dr. Ing. h.c. F. Porsche AG, and
Porsche Cars North America, Inc.*

13
14 PURSUANT TO STIPULATION, **IT IS SO ORDERED.**

15
16 Dated: October __, 2021

CHARLES R. BREYER
United States District Judge

ATTESTATION (CIVIL LOCAL RULE 5-1(i)(3))

In accordance with Civil Local Rule 5-1(i)(3), I attest that concurrence in the filing of this document has been obtained from the signatories.

Dated: October 29, 2021

LIEFF CABRASER HEIMANN &
BERNSTEIN, LLP

/s/ Kevin R. Budner

Kevin R. Budner